

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVAD
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6 BRIAN KERRY O'KEEFE,
7 Plaintiff,

8 v.

9 DOE 1, *et al.*,

10 Defendants.

CASE NO.: 3:18-CV-00100-RCJ-WGC

ORDER

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12 Before the Court is the Reports and Recommendations of U.S. Magistrate Judge (ECF No. 7¹)
13 entered on May 14, 2018, recommending that the Court grant Plaintiff's IFP application (ECF No. 1);
14 Plaintiff should be required to pay, through NDOC, an initial partial filing fee in the amount of \$10,
15 within thirty days of the entry of any order adopting and accepting the Report and Recommendation
16 (ECF No. 7). It was further recommended that the Amended Complaint (ECF Nos. 3, 3-1) be filed and
17 the action be dismissed with prejudice. All other pending motions were denied as moot. On May 23,
18 2018, Plaintiff filed his Objections to Report and Recommendation (ECF No. 8).

19 The Court has conducted it's *de novo* review in this case, has fully considered the objections of
20 the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant
21 to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2. The Court determines that the Magistrate Judge's
22 Reports and Recommendation (ECF No. 7) entered on May 14, 2018, should be ADOPTED AND
23 ACCEPTED.

24 IT IS HEREBY ORDERED that the Plaintiff's IFP application (ECF No. 1) is GRANTED.
25 Plaintiff shall be required to pay, through NDOC, an initial partial filing fee in the amount of \$10, within
26 thirty days of the entry of this order. Thereafter, whenever his prison account exceeds \$10, he should
27 be required to make monthly payments in the amount of twenty percent of the preceding month's income
28 credited to his account until the full \$350 filing fee is paid. This is required even if the action is

¹Refers to court's docket number.

1 dismissed, or is otherwise unsuccessful. The Clerk shall **SEND** a copy of this Order to the attention of
2 **Chief of Inmate Services for the Nevada Department of Prisons**, P.O. Box 7011, Carson City, NV
3 89702.

4 IT IS FURTHER ORDERED that Clerk of the Court shall file the Amended Complaint (ECF
5 Nos. 3, 3-1).

6 IT IS FURTHER ORDERED that this action is DISMISSED WITH PREJUDICE.

7 IT IS FURTHER ORDERED that Plaintiff's pending motions (ECF Nos. 4, 5, and 6) are
8 DENIED as MOOT.

9 IT IS FURTHER ORDERED that the Clerk of the Court shall close this case.

10 IT IS SO ORDERED this 24TH day of July, 2018.

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14 ROBERT C. JONES
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